

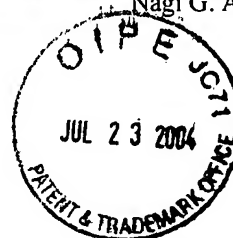


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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/817,204	04/02/2004	Nagi G. Ayad	10498-00067

22910
BANNER & WITCOFF, LTD.
28 STATE STREET
28th FLOOR
BOSTON, MA 02109-9601



CONFIRMATION NO. 3911

FORMALITIES LETTER



OC000000012802105

Date Mailed: 05/27/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/26/2004 HLE333 00000073 190733 10817204

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 385.00 DA
02 FC:2201 301.00 DA
03 FC:2202 819.00 DA
04 FC:2203 145.00 DA
05 FC:2051 65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1823** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2273** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1823**
 - **\$301** for **7** independent claims over 3.
 - **\$1377** for **153** total claims over 20.
 - **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT
ATTORNEY DOCKET NO. 10498-00067

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Nagi G. Ayad and Marc W. Kirschner) Examiner:
Serial No.: 10/817,204)
Filed: April 2, 2004) Art Unit: 1645
Title: NOVEL CELL CYCLE GENES REQUIRED FOR)
MITOTIC ENTRY)

Commissioner for Patents
Mail Stop Missing Parts
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Responsive to the Notice to File Missing Parts of Application under 37 CFR 1.53(b)
mailed May 27, 2004 (a copy of which is enclosed), Applicants as a small entity submit herewith
the following:

Payment of the basic filing fee of \$385.00;

Payment of the additional and multiple dependent claims fees of \$1,265.00 for
91 additional claims;

A Combined Declaration and Power of Attorney in compliance with 37 CFR 1.63;

Payment of the surcharge of \$65.00 for late filing of the basic filing fee and
declaration; and

Return postcard.

Applicants wish to advise that the calculation of additional claims fees, as stated on the enclosed copy of the Notice to File Missing Parts, is incorrect. Including the multiple dependencies of the claims, the total claim count as filed is 111 claims, or 91 additional claims. Enclosed is a claim calculation sheet showing the number of claims and their dependencies. The small entity additional dependent claim fee is \$9.00 per additional claim. Thus the correct total for additional dependent claims should be calculated as **\$1,265.00** and not \$1,377.00, as stated in the Notice. Accordingly, Applicants hereby request that the adjustment be made.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply the instant filing fees, in the amount of \$2,161.00, and any other charges or any credits, to Deposit Account No. 19-0733. A duplicate of this paper is enclosed.

Respectfully submitted,

Dated: _____

July 23, 2004



John P. Iwanicki, Reg. No. 34,628
BANNER & WITCOFF, LTD.
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Boston, MA 02109
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PATENT
ATTORNEY DOCKET NO. 10498-00067

Claim Count for US Patent Application Serial No. 10/817,204

As Filed April 2, 2004

"Novel Cell Cycle Genes Required for Mitotic Entry"

Applicants: Nagi G. Ayad and Marc W. Kirschner

Claim No.	Type	Independent Claims	Depends from Claim(s):	Claim Count
1.	Independent	1		1
2.	Dependent		1	1
3.	Independent	1		1
4.	Independent	1		1
5.	Independent	1		1
6.	Independent	1		1
7.	Dependent		1, 3, 4, 5 or 6	5
8.	Dependent		1, 3, 4, 5 or 6	5
9.	Dependent		1, 3, 4, 5 or 6	5
10.	Dependent		1, 3, 4, 5 or 6	5
11.	Dependent		10	1
12.	Dependent		11	1
13.	Dependent		12	1
14.	Independent	1		1
15.	Dependent		14	1
16.	Independent	1		1
17.	Independent	1		1
18.	Independent	1		1
19.	Dependent		14, 16, 17 or 18	4
20.	Dependent		14, 16, 17 or 18	4
21.	Dependent		14, 16, 17 or 18	4
22.	Dependent		21	1
23.	Dependent		14, 16, 17 or 18	4
24.	Dependent		1, 3, 4, 5 or 6	5
25.	Dependent		24	1
26.	Dependent		1, 3, 4, 5 or 6	5
27.	Dependent		14, 16, 17 or 18	4
28.	Dependent		27	1
29.	Dependent		28	1
30.	Dependent		14, 16, 17 or 18	4
31.	Dependent		14, 16, 17 or 18	4
32.	Dependent		31	1
33.	Dependent		14, 16, 17 or 18	4
34.	Dependent		33	1

Claim No.	Type	Independent Claims	Depends from Claim(s):	Claim Count
35.	Dependent		33	1
36.	Dependent		35	1
37.	Dependent		35	1
38.	Dependent		35	1
39.	Dependent		35	1
40.	Dependent		35	1
41.	Dependent		35	1
42.	Dependent		35	1
43.	Dependent		16, 17 or 18	3
44.	Dependent		14, 16, 17 or 18	4
45.	Dependent		1, 3, 4, 5 or 6	5
46.	Dependent		45	1
47.	Dependent		14, 16, 17 or 18	4
48.	Dependent		47	1
49.	Independent	1		1
50.	Dependent		49	1
51.	Dependent		49	1
TOTALS		10		111